

Appl. No. 10/622,313
Amdt. dated September 7, 2006
Reply to Office Action of June 16, 2006

PATENT

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1. (Original) A probe for detection of a disease or condition, the probe being adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors.
2. (Original) The probe of claim 1, wherein the probe is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting change in relation to binding of adenosine triphosphate (ATP) to the receptors.
3. (Original) The probe of claim 1, wherein the probe is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting change in binding of one or more proteins necessary for pore formation in P2X₇ receptors.
4. (Original) The probe of claim 3, wherein the probe is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting one or more parts of the receptor exposed in the absence of bound ATP.
5. (Original) The probe of claim 4, wherein the part includes a P2X₇ monomer.
6. (Original) The probe of claim 1, which is natural or artificial.
7. (Original) The probe of claim 1, wherein the probe is an antibody chosen from the group consisting of a polyclonal antibody, a monoclonal antibody, a recombinant antibody, a humanised antibody, a human antibody and a fragment thereof.
8. (Original) The probe of claim 7, in which the antibody is directed against an epitope of each receptor located in an extracellular domain adjacent to a site for binding ATP.

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9. (Original) The probe of claim 1, wherein the receptors are mammalian P2X₇ receptors and the probe is adapted to distinguish between functional receptors having a sequence in which proline at amino acid 210 is in the trans conformation and non-functional receptors having a sequence in which the proline at amino acid 210 is in the cis conformation acting to alter local protein structure.

10. (Original) The probe of claim 1, wherein the receptors are mammalian P2X₇ receptors and the probe is adapted to distinguish between functional receptors having a sequence in which proline at amino acid 199 is in the trans conformation and non-functional receptors having a sequence in which the proline at amino acid 199 is in the cis conformation acting to alter local protein structure.

11. (Original) The probe of claim 9, wherein the probe is or includes an antibody raised against an epitope sequence of the P2X₇ receptor extending from Gly200 to Cys216.

12. (Original) The probe of claim 9, wherein the probe is or includes an antibody raised against an epitope sequence of the P2X₇ receptor extending from Gly200 to Thr215.

13. (Original) The probe of claim 1, wherein the probe is an antibody that specifically binds to an epitope within residues Gly200 to Cys216 of a P2X₇ receptor without specifically binding to other regions of the P2X₇ receptor.

14. (Currently Amended) The probe of claim 1, wherein the disease or condition is chosen from the group consisting of: prostate, breast, skin, lung, cervix, uterus, stomach, oesophagus, bladder, colon and vaginal cancers, other epithelial cell cancers, malignant lymphoma, other blood cancers, irritable bowel syndrome and infection by a virus or other pathological organism.

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15. (Original) The probe of claim 14, wherein the virus or organism is HIV or *Mycobacterium tuberculosis*.

16. (Original) The probe of claim 7, wherein the condition is irritable bowel syndrome and the antibody is capable of detecting other regions of the P2X₇ receptor unchanged by functional state by detecting an epitope common to both functional and non-functional conformations.

17. (Currently Amended) The probe of claim 7, wherein the condition is irritable bowel syndrome and the antibody is used in combination with a second antibody capable of detecting total P2X₇ expression. ~~A probe that specifically binds an epitope outside residues Gly200 to Cys216 of a P2X₇ receptor without specifically binding to an epitope within Gly200 to Cys216 of the P2X₇ receptor.~~

18. (Withdrawn) A method for detecting a disease or condition, the method including the steps of:

using the probe of claim 1 to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors,
providing a receptor expression profile, and
comparing the receptor expression profile with that of a normal profile.

19. (Withdrawn) The method of claim 18, wherein the receptor expression profile is a proportion of non-functional P2X₇ receptors to total P2X₇ receptors, and a higher proportion of non-functional receptors to total P2X₇ receptors in the receptor expression profile relative to the normal profile indicates presence of the disease or condition.

20. (Withdrawn) The method of claim 18, wherein the receptor expression profile is that of non-functional receptors.

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21. (Withdrawn) The method of claim 18, wherein the probe is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting change in relation to binding of adenosine triphosphate (ATP) to the receptors.

22. (Withdrawn) The method of claim 18, wherein the probe is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting change in binding of one or more proteins necessary for pore formation in P2X₇ receptors.

23. (Withdrawn) The method of claim 18, wherein the probe is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting one or more parts of the receptor exposed in the absence of bound ATP.

24. (Withdrawn) The method of claim 23, wherein the part includes a P2X₇ monomer,

25. (Withdrawn) The method of claim 18, wherein the receptor expression profile is provided using *in situ* imaging techniques.

26. (Withdrawn) The method of claim 18, wherein the receptor expression profile is provided using microscopy, confocal microscopy or fluorescence activated cell sorting.

27. (Withdrawn -Currently Amended) An isolated cell or tissue sample complexed with ~~a probe as claimed~~ claims the probe of claim 1.

28. (Withdrawn) A method of diagnosing irritable bowel syndrome, comprising detecting the P2X₇ expression profile of cells and/or tissue and comparing the profile with a predetermined expression profile of normal cells and/or tissue.

29. (Withdrawn) The method of claim 28, wherein the cells and/or tissues are intestinal cells or tissue.

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30. (Withdrawn) The method of claim 28, wherein the detection of the P2X₇ expression profile includes use of one or more antibodies.

31. (Withdrawn) A method of treating irritable bowel syndrome, the method including administering a composition adapted to restore P2X₇ receptor function.

32. (Currently Amended) An antibody for detection of a disease or condition, the antibody being adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors and to bind only to non-functional receptors.

33. (Original) The antibody of claim 32, wherein the antibody is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting change in relation to binding of adenosine triphosphate (ATP) to the receptors.

34. (Original) The antibody of claim 32, wherein the antibody is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting change in binding of one or more proteins necessary for pore formation in P2X₇ receptors.

35. (Original) The antibody of claim 32, wherein the antibody is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors by detecting one or more parts of the receptor exposed in the absence of bound ATP.

36. (Original) The antibody of claim 35, wherein the part includes a P2X₇ monomer.

37. (Currently Amended) The antibody of claim 32, which is polyclonal, monoclonal, recombinant, humanised or a human antibody or an appropriate fragment thereof.

38. (Original) The antibody of claim 32, wherein the receptors are mammalian P2X₇ receptors and the antibody is adapted to distinguish between functional receptors having a

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sequence in which proline at amino acid 210 is in the trans conformation and non-functional receptors having a sequence in which the proline at amino acid 210 is in the cis conformation.

39. (Original) The antibody of claim 38, which is raised against an epitope sequence of the P2X₇ receptor extending from Gly200 to Cys216.

40. (Original) The antibody of claim 39, which is raised against an epitope sequence of the P2X₇ receptor extending from Gly200 to Thr215.

41. (Withdrawn) The antibody of claim 32, wherein the receptors are mammalian P2X₇ receptors and the antibody is adapted to distinguish between functional receptors having a sequence in which proline at amino acid 199 is in the trans conformation and non-functional receptors having a sequence in which the proline at amino acid 199 is in the cis conformation

42. (Original) The antibody of claim 32, wherein the disease or condition is chosen from the group consisting of: prostate, breast, skin, lung, cervix, uterus, stomach, oesophagus, bladder, colon and vaginal cancers, other epithelial cell cancers, malignant lymphoma, other blood cancers, irritable bowel syndrome and infection by a virus or other pathological organism.

43. (Original) The antibody of claim 42, wherein the virus or organism is HIV or Mycobacterium tuberculosis.

44. (Withdrawn) An epitope adapted to cause the generation of the antibody of claim 32.

45. (Withdrawn) The epitope of claim 44, which is attached to diphtheria toxin via the C-terminal Cys residue by means of the chemical cross-linker maleimidocaproyl-N-hydroxysuccinimide (MCS), so that the conformation adopted by the attached epitope peptide occupies a stable cis proline configuration.

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46. (Withdrawn) An isolated polypeptide comprising a segment of a P2X₇ receptor of up to 30 amino acids including Gly200 to Cys216.

47. (Withdrawn) The isolated polypeptide of claim 46, wherein the segment consists of Gly200 to Cys216.

48. (Withdrawn) An isolated polypeptide comprising a segment of a P2X₇ receptor of up to 30 contiguous amino acids including Gly200 to Thr 215.

49. (Withdrawn) The isolated polypeptide of claim 48, consisting of Gly200 to Thr215.

50. (Original) A pharmaceutical composition for treatment or prevention of a disease or condition in a patient, the composition including a pharmaceutically effective amount of an antibody as claimed in claim 32, or an epitope to cause the generation of such an amount, capable of regulating programmed cell death of cells having expressed on their surface aberrant or non-functional P2X₇ receptors.

51. (Withdrawn) A preparation for treatment or prevention of a disease or condition in a patient, the preparation including one or more substances adapted to regulate the expression of ATPases or ATPDases that control the supply of ATP to P2X₇ receptors in the patient's cells or tissues.

52. (Withdrawn -Currently Amended) A method of treating, diagnosing or preventing a disease or condition in a patient, the method including the step of administering to the patient a preparation ~~including one or more substances adapted to regulate the expression of ATPases or ATPDases that control the supply of ATP to P2X₇ receptors in the cells or tissue of the patient~~ comprising the probe of claim 1.

53. (Withdrawn) The preparation of claim 51, wherein the disease or condition is chosen from the group consisting of: prostate, breast, skin, lung, cervix, uterus,

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stomach, oesophagus, bladder, colon and vaginal cancers, other epithelial cell cancers, malignant lymphoma, other blood cancers, irritable bowel syndrome and infection by a virus or other pathological organism.

54. (Withdrawn) The method of claim 52, wherein the disease or condition is chosen from the group consisting of: prostate, breast, skin, lung, cervix, uterus, stomach, oesophagus, bladder, colon and vaginal cancers, other epithelial cell cancers, malignant lymphoma, other blood cancers, irritable bowel syndrome and infection by a virus or other pathological organism.

55. (Currently Amended) The antibody of ~~claims~~claim 32, wherein the antibody is a chimeric, humanized or human antibody or fragment thereof.

56. (Original) The antibody of claim 55, when combined with a radiolabel suitable for detection by use of scanning technology.

57. (Currently Amended) The antibody of claim ~~55~~56, when the scanning technology is positron emission tomography.

58. (Currently Amended) The antibody of claim ~~56~~55, when combined with a fluorescent label suitable for use in flow cytometry.

59. (Currently Amended) The antibody of claim ~~56~~55, when combined with a matrix suitable for colorimetric assay.

60. (Original) A test kit for detecting non-functional P2X₇ receptors, the kit including the probe of claim 1, together with a normal P2X₇ receptor expression profile.

61. (Original) A test kit for detecting non-functional P2X₇ receptors, the kit including the antibody of claim 32, together with a normal P2X₇ receptor expression profile.

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62. (Currently Amended) A test kit for detecting non-functional P2X₇ receptors, the kit including the antibody of claim 5655, together with a normal P2X₇ receptor expression profile.

63. (Original) The test kit of claim 60, when adapted to detect non-functional P2X₇ receptors in a blood sample.

64. (Original) A diagnostic kit comprising:(1) a probe that that specifically binds to an epitope within residues Gly200 to Cys216 of a P2X₇ receptor without specifically binding to other regions of the P2X₇ receptor, and (2) a probe that specifically binds an epitope outside residues Gly200 to Cys216 of a P2X₇ receptor without specifically binding to an epitope Gly200 to Cys216 of the P2X₇ receptor.

65. (Withdrawn) The preparation of claim 51, in which the ATPases and ATPDases are chosen from CD39 and CD73.

66. (Withdrawn) The preparation of claim 51, wherein the one or more substances is one or more ATP analogues.

67. (Withdrawn) A method of treating or preventing a disease or condition, the method including use of the antibody claimed in claim 32.

68. (Withdrawn) A method of treating or preventing a disease or condition, the method including use of the epitope of claim 44.

69. (Withdrawn) A method of treating or preventing a disease or condition, the method including use of the pharmaceutical composition of claim 50.

70. (Withdrawn) A method of treating or preventing a disease or condition, the method including use of the preparation of claim 51.

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71. (Withdrawn) The probe of claim 16, wherein the epitope is Val65-Lys81.

72. (New) An isolated antibody that specifically binds an epitope sequence of the P2X₇ receptor extending from Gly200 to Cys216, wherein the antibody is adapted to distinguish between functional P2X₇ receptors and non-functional P2X₇ receptors.